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REMARKS

The Examiner is thanked for the indication of allowable subject matter.

The Examiner has rejected Claims 1, 8, 10-14, 20, 21, 23-29 and 31 under 35 U.S.C. 103(a) as being unpatentable over Radatti (U.S. Patent Application No. 2002/0170052) in view of Corman et al. (Introduction to Algorithms, the MIT Press, 1986, Section 5.5, pp. 91-97 and Chapter 13, pp. 244-262). Applicant respectfully disagrees with such rejection.

With respect to each of the independent claims, the Examiner has relied on the following excerpts from Radatti to make a prior art showing of applicant's claimed "combining the list of virus signatures into a tree of virus signatures" and "wherein a portion of the branches corresponds to a plurality of the virus signatures" (see this or similar, but not identical, language in each of the foregoing claims).

"Further description on these fields is presented below. There may be one or more of these update_index files in various embodiments. For example, in certain embodiments, a number of software products may be present on the computer system and each product may have its own update_index file. Alternatively, in other embodiments, one update_index file may contain information on more than one software product. In yet other embodiments, the update_index may refer to other update_index files. This referential update_index file structure may provide a hierarchical tree structure and use a single update_index file to define an entire set of files for updates." [0034]

"Further description on these fields is presented below. There may be one or more of these update_index files in various embodiments. For example, in certain embodiments, a number of software products may be present on the server and each product may have its own update_index file. Alternatively, in other embodiments, one update_index file may contain information on more than one software product. In yet other embodiments, the server update_index will refer to other update_index files. This referential update_index file structure may provide a hierarchical tree structure and use one update_index file to define an entire set of files for updates." [0047]

Applicant respectfully asserts that providing a hierarchical tree structure of update index files does not meet applicant's claimed "list of virus signatures into a tree of virus